

REMARKS

In the Office Action, the Examiner alleged that only claims 2, 4-7, 10-11, 13-14, 16-17, 19-20, 22-23, and 25-31 exist in the application. Applicant respectfully disagrees and submits that claims 2, 4-7, 10-11, 13-14, 16-17, 19-20, 22-23, and 25-33 are pending in the present application. Applicant includes herein a complete set of the pending claims for the Examiner's information.

In the Office Action, claims 2, 4-6, 16-17, 19, and 28-29 were rejected under 35 U.S.C. 102(e) as being anticipated by Watkins, et al (U.S. Patent No. 5,827,102). Claims 7 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins. Claims 10-11, 13-14, 22-23, 25-27, and 30-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Watkins in view of Garcia (U.S. Patent No. 5,521,461). The Examiner's rejections are respectfully traversed.

Watkins is directed to a method of evacuating and sealing a field emission display package at a relatively low temperature. Watkins describes placing a package 10 in a reaction chamber and creating a vacuum in the range of 10^{-5} to 10^{-8} Torr, which may be maintained for approximately 1-2 hours. See Watkins, col. 6, ll. 4-18. However, Watkins is completely silent with regard to operating the field emission device. In particular, Watkins fails to teach or suggest operating the field emission device in a pressure of at most about 10^{-8} Torr for at least approximately 15 minutes, as set forth in claims 4, 11, 17, and 23. For at least this reason, Applicant respectfully submits that the present invention is not anticipated by Watkins and requests that the Examiner's rejections of claims 2, 4-6, 16-17, 19, and 28-29 under 35 U.S.C. 102(e) be withdrawn.

Applicant also submits that the present invention is not obvious over Watkins or Garcia, either alone or in combination. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). As discussed above, Watkins fails to teach or suggest operating the field emission device in a pressure of at most about 10^{-8} Torr for at least approximately 15 minutes, as set forth in claims 4, 11, 17, and 23. The Examiner relies upon Garcia to teach cleaning various portions of the field emission device before assembly. However, Garcia fails to remedy the aforementioned fundamental deficiency of the primary reference.

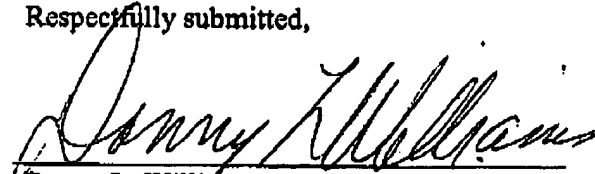
Moreover, the cited references do not provide any suggestion or motivation to modify the reference or to combine the reference teachings to arrive at Applicant's claimed invention. As discussed above, Watkins is only concerned with reducing the ambient temperature during the evacuation and sealing of a field emission display package. Watkins is completely silent with regard to problems such as tip degradation in field emission devices and therefore provides no suggestion or motivation for operating the field emission device during the evacuation process. In particular, Watkins provides no suggestion or motivation for operating the field emission device in a pressure of at most about 10^{-8} Torr for at least approximately 15 minutes, as set forth in claims 4, 11, 17, and 23.

For at least the aforementioned reasons, Applicant respectfully submits that the present invention is not obvious over Watkins or Garcia, either alone or in combination. Applicant requests that the Examiner's rejections of claims 7, 10-11, 13-14, 20, 22-23, 25-27, and 30-31 under 35 U.S.C. 103(a) be withdrawn.

For at least the aforementioned reasons, Applicant respectfully submits that all claims pending in the present application are allowable over the cited references. If the Examiner has any questions or comments, or if a telephone conference would facilitate disposition of this case, he is encouraged to contact the undersigned by telephone at (713) 934-4060.

Respectfully submitted,

Date: September 28, 2004



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